

The Washington State Department of Transportation (WSDOT) is committed to providing and maintaining a work environment that is free from all forms of discrimination. In keeping with this commitment, the department will not tolerate sexual harassment of WSDOT employees by anyone, including any supervisor, coworker, vendor, client, nonemployee, or customer of WSDOT, or the sexual harassment of anyone by a WSDOT employee when work related. Any employee who fails to carry out the spirit and intent of this policy may be subjected to corrective action.

Additionally, sexual harassment is a violation of RCW 49.60, the Civil Rights Act of 1964, as amended in 1972, and other applicable laws and regulations. As such, it will not be tolerated.

Sexual harassment is comprised of unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct of a sexual nature when:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment; or,
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or,
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may include explicit sexual propositions; sexual innuendo; sexual slurs; suggestive comments; sexually oriented "kidding" or "teasing;" "practical jokes;" jokes about gender-specific traits; foul or obscene language or gestures; leering; displays of foul, obscene, or seductive printed or visual material; and physical contact, such as patting, pinching, or brushing against another's body.

Although such blatant acts as demanding sexual favors as a condition of employment or promotion is obviously sexual harassment, some acts are more subtle. These may include inappropriate language, jokes, or comments of a sexual nature. For example, in one case a male supervisor who consistently referred to male employees as "men" and female employees as "girls" lost a claim of sexual harassment filed against him.

All WSDOT employees are responsible for helping to ensure that we avoid harassment. If you feel that you have experienced or witnessed sexual harassment, you are advised to make it clear that such behavior is offensive and then immediately notify one of the following: your immediate supervisor, the harasser's supervisor, his/her appointing authority, your personnel officer, or the WSDOT Office of Equal Opportunity. The department will respond promptly and effectively to incidents of sexual harassment. If you receive a complaint of sexual harassment, **DO NOT IGNORE IT** — no matter how insignificant it may seem to you. You must make it clear that sexual harassment will not be tolerated.

Supervisors are reminded that it is their responsibility to immediately stop and report any activity that might possibly be sexual harassment.

Sexual Harassment

Persons believing they were subjected to sexual harassment may file a complaint following the procedures outlined in the Internal Discrimination Complaint Procedure section of this manual. A person who believes they were sexually harassed also has the right to file a complaint with the Washington State Human Rights Commission (RCW 49.60) or with the federal Equal Employment Opportunity Commission (Title VII, Civil Rights Act of 1964).

Confidentiality concerning complaints or investigation of complaints is maintained to the greatest extent possible in order to prevent embarrassment, further harassment, or retaliation.

Retaliation and/or interference against employees, clients, or other persons having business with the department who report sexual harassment is forbidden and is grounds for corrective action.

If an employee is found to have sexually harassed a coworker, client, or other person doing business with the department, the guilty party shall be subject to corrective action, up to and including dismissal, if such conduct is proven.

In an attempt to educate employees and prevent instances of sexual harassment from occurring, the Office of Equal Opportunity will conduct sexual harassment training and education for all employees.

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